

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1371 – HB 1405

April 4, 2017

**SUMMARY OF ORIGINAL BILL:** Decreases, from three to two, the number of copies of air pollution regulations, for the purpose of the *Tennessee Air Quality Act*, that are required to be filed with the county clerk for public use, inspection, and examination.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (006731):** Deletes all language after the enacting clause. Prohibits municipalities and counties from including land use or zoning requirements in air pollution control regulations, certificates of exemption, or state implementation plans. Adds an enactment requirement for the Air Pollution Control Board (Board) to consider when granting a certification of exemption.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 68-201-115, any municipality or county in the state is authorized to apply for and receive a certificate of exemption from the Board to enact air pollution control regulations that are at least as stringent as the regulations of the state.
- Under current law, pursuant to Tenn. Code Ann. § 68-201-115(b)(3), a certificate of exemption is granted if the Board determines that the municipality or county has enacted provisions for the control of air pollution not less stringent than the regulations of the state and that such enactments are being or will be adequately enforced.
- This legislation requires the granting of the certificate not interfere with the state's goal of maintaining the purity of air resources of the state.
- Any fiscal impact to state or local government resulting from the additional certificate of exemption requirement or prohibiting land use and zoning requirements in air pollution control regulations, certificates of exemption, or state implementation plans is estimated to be not significant.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/amj